

PERSONNEL HANDBOOK

FOR

**THE EPISCOPAL DIOCESE
OF SAN JOAQUIN**

January 20, 2020

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100 INTRODUCTION

This revised edition of the personnel policies and practices was adopted by the Diocesan Council of the Episcopal Diocese of San Joaquin (“Diocese”) on September 26, 2019, and it supersedes any and all previous policy statements of the Diocese. They are to be reviewed periodically by the HR Subcommittee of Diocesan Council to ensure that they continue to reflect current legal requirements and that they are consistent with local, diocesan, and national trends. The intent is to provide the basis for clear understanding by all parties for reasonable and consistent working relationships with staff, and to provide guidelines for supervision. These policies apply to all employees of the Diocese.

These personnel policies are to be deemed a practical guide only and shall under no circumstances be construed to support a contractual relationship.

The benefits and policies described herein and provisions of this Handbook, other than its employment-at-will provisions, may, at the discretion of the Diocese, be modified, revoked or changed at any time, without notice and without written revisions of these personnel policies.

If any employee has an employment agreement with the Diocese that provides other benefits or policies, the terms of said agreement shall apply in the event of conflict between the two documents.

Please read these personnel policies carefully. If you have any questions regarding its contents, please discuss them with your supervisor or other Diocesan representative.

As a religious corporation, the Diocese is entitled to various protections under the Constitution of the United States of America and the extent to which any federal, state or local law applies depends on a proper interpretation of those protections. Nothing in this Handbook may be construed as a concession that any particular law which may underlie a policy is applicable to the Diocese, nor may this Handbook create a right to sue where one does not already exist. For example, if you are ordained, this Handbook is not intended to and does not create any rights under local, state or federal laws to challenge employment decisions which the First Amendment to the United States Constitution makes the province of the Church.

101 Equal Employment Opportunity Statement

The Diocese is an equal employment opportunity employer and does not discriminate against applicants or employees with respect to any terms or conditions of employment on account of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, military and veteran status, sexual orientation or any other characteristic protected by state or federal law or local ordinance other than religion, except where religion or ordination is a bona fide occupational qualification.

When necessary, the Diocese will reasonably accommodate employees and applicants with known physical or mental disabilities or medical conditions if the person is otherwise qualified to safely perform all of the essential functions of the position.

200 EMPLOYMENT

This employee handbook does not constitute a contract for employment between the Diocese and its employees. Employment with the Diocese is “at-will”, which means that it is not for a specified duration and may be terminated by either the employee or the Diocese at any time, with or without cause and with or without prior notice. Employees are specifically advised that by signing the Receipt for Employee Handbook they acknowledge that employment at the Diocese is, at all times, at-will. No person other than the Bishop of the Diocese or Diocesan Council has authority to enter into any agreement for employment for any specified period of time and any such agreement must be in writing.

201 Duration of Employment

The Diocese does not require employees to commit to employment for any specific duration, and the Diocese does not commit to employees that their employment will last for any specific duration. The Diocese nonetheless requests, but does not require, that employees give a two-week notice of resignation.

The final paycheck for employees who resign with at least seventy-two (72) hours’ notice will be provided on their last day of work. Employees who do not provide at least this amount of notice will receive their final paycheck within seventy-two (72) hours of their resignation. Employees who are involuntarily terminated will be provided their final paycheck on their last day of work. A final paycheck will consist of all hours worked through the last day of employment.

202 Background Checks

The Diocese recognizes the importance of maintaining a safe workplace with employees who are honest, trustworthy, qualified, reliable, and nonviolent. A comprehensive background check may consist of prior employment verification, professional reference checks, education confirmation, and/or criminal record and credit checks.

In furtherance of this, the Diocese may perform, or hire a third-party service to perform these checks, or other types of investigations on job applicants or current employees.

These background checks and investigations may be performed by or at the direction of the Diocese at any time. The Diocese will comply with applicable federal and state law when conducting background checks and investigations, including, when required, providing notice and obtaining consent.

203 Requirements for Employment

The following are requirements for employment with the Diocese:

- a. Must have a valid social security number or authorization to work in the United States.
- b. Must complete a W-4 tax withholding form.
- c. Must complete an I-9 form.
- d. Must assure that you are able to perform the essential elements of the job for which you apply with or without accommodation.
- e. Must read and agree to the terms and conditions in this handbook.

300 COMPENSATION

301 Employee Classifications

Employees are classified as full-time, part-time, or temporary. All employees are further classified as either exempt or non-exempt. All employees will be told upon hire which classifications apply to their employment.

Regular Full Time: These are employees hired to work at least 1,500 hours per year and who are hired by the Diocese without specified term of employment.

Regular Part Time: Employees hired to work at least 1,000 hours per year and may be entitled to benefits on a pro-rated basis as described in this manual.

Temporary/Seasonal: These employees are those who are employed for assignments that are designated as short-term or on a seasonal basis, and who work less than 1,000 hours per year. Temporary/Seasonal employees are not entitled to benefits (except where required by law).

Exempt: These are employees whose job assignments meet the federal and state requirements for an overtime exemption. Exempt employees are compensated on a salary basis and are not eligible for overtime pay.

Non-exempt: These are employees covered by the overtime, meal and rest requirements of state and federal law.

302 Salary Administration

- a. Working Hours
 1. Your work schedule may vary depending on your job. Check with your direct supervisor if you have questions about your hours of work.
 2. Normal Diocesan Office hours are from 9:00 a.m. to 5:00 p.m., Monday

through Friday, except holidays. Other Diocesan offices, including but not limited to parishes and special centers, may have different working hours.

b. Record Keeping

1. Non-exempt employees are required to submit each week via the designated time-keeping method at the site where employed an accurate recording of their hours worked each day. Time not worked will be explained, e.g., PTO, etc., and shall be signed by the supervisor.
2. At the end of each month in which leave is taken, exempt employees will submit a slip to the accounting office, through their supervisor, showing the extent and categories of such leave.

c. Overtime

The nature of this organization and its budgetary limitations require every effort to accomplish essential work without resorting to overtime.

Exempt employees are not eligible for overtime pay.

Unless otherwise specified through a specific, legally-recognized exemption under the California wage orders, non-exempt employees will be paid time and one-half for all hours worked in excess of eight (8) hours in a day or forty (40) hours in a week. Double time is paid for work in excess of twelve hours in a day or for hours in excess of eight (8) on a seventh consecutive workday in a workweek. Overtime work is never performed at the employee's discretion but must be approved by your supervisor before it is performed. The approval must be in written form, and may be by e-mail.

Importantly, all time worked, whether approved or not, must be reported on the time slips.

d. Rest and Meal Periods

All non-exempt employees must take meal and rest breaks as follows:

Meal Periods:

Number of Hours Worked Per Shift

5 hours or less

More than 5 hours and up to 6 hours

More than 6 hours and up to 10 hours

More than 10 hours and up to 12 hours

Number of Meal Periods

No meal period

One unpaid, 30-minute meal period
(may be waived in writing; see below)

One unpaid, 30-minute meal period

Two unpaid 30-minute meal periods;
may not be combined, one may be

More than 12 hours	waived Two unpaid 30-minute meal periods; may not be combined, may not be waived
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A meal break means you are relieved of all duty for at least 30-minutes and you are free to leave the premises.

Employees should not work more than 5 consecutive hours without beginning a meal period. If you do not take a meal period, you must report this to your supervisor in writing and explain the reasons why you did not take a meal period.

Waiver of Meal Period: Employees may waive their meal periods only under the following circumstances: If you will complete your workday in six hours, you may waive your meal period, provided that you have executed a Meal Break Waiver Form.

On Duty Meal Period: In limited situations, certain designated employees may be required to work an on-duty meal period due to the nature of the employee's duties. Only if the nature of your job duties requires it, and we have agreed to an on-duty meal period in writing, will you be permitted to take an on-duty meal period. In this situation, your on-duty meal period will be paid and treated as hours worked.

Rest Periods:

<u>Number of Hours Worked Per Shift</u>	<u>Number of Rest Periods</u>
Less than 3 ½ hours	No rest period
3 ½ hours up to 6 hours	One 10-minute rest period
6 hours up to 10 hours	Two 10-minute rest periods
10 hours up to 14 hours	Three 10-minute rest periods
14 hours up to 18 hours	At least four 10-minute rest periods

If you are entitled to two rest periods, one should be taken before the meal period and one should be taken after the meal period. They should not be combined with each other or your meal period. Rest breaks should be taken, as far as practical, in the middle of each work period. If you do not take a rest break, you must report this to your supervisor in writing and explain the reasons why you did not take a meal period.

If any supervisor, manager, or any other person tells you not to take a meal or rest period as required, or you believe you were not provided the opportunity to take them, then you must immediately notify the Priest-in-Charge, ECCO Executive Director, or Bishop, where applicable, in writing.

e. Payroll Deductions

Various payroll deductions are made each payday to comply with federal and state laws. Deductions will be made for the following:

1. Federal and State Income Tax Withholding.
2. Social Security (FICA) and MediCare.
3. State Disability Insurance (SDI).

After the end of each calendar year, you will be supplied with your Wage and Tax Statement (W-2) form. This statement summarizes your income and deductions for the year. If you have any questions regarding these deductions, please contact your supervisor.

f. Work Week and Pay Days

The Diocesan work week for payroll purposes is Sunday through Saturday.

Paydays are as follows:

Exempt employees: Exempt employees are paid once a month on the 26th day of the month for wages through the entire month.

Non-Exempt employees: Non-exempt employees are paid for time worked from the 1st through the 15th of the month on the 26th day of the month, and for time worked from the 16th through the end of the month on the 10th day of the following month.

303 Expense Reimbursement

Employees required to travel for work purposes will be compensated for all travel time (e.g. travel to/from airport, waiting at airport, time in flight and for travel to hotel) and for all time spent in activities for which the travel is required (participation in conferences, required meals, etc.). All time must be reported accurately.

The Diocese reimburses employees \$60.00 per diem.

Employees required to drive their personal automobile for work-related purposes should submit a mileage report for reimbursement at the then-standard IRS rate.

400 BENEFITS

This Employee Handbook describes the current benefit plans maintained by the Diocese of San Joaquin. Insured benefits are outlined only and are governed by the policies and materials issued by the insurer. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plan. Those documents are controlling.

The Diocese reserves the right to modify and/or terminate its benefits at any time. We will keep you informed of any changes.

401 Holidays

The eleven official paid holidays of the Diocese of San Joaquin are:

New Year's Day (January 1)	1 day
Martin Luther King Day	1 day
Good Friday	1 day
Memorial Day	1 day
Independence Day (July 4)	1 day
Labor Day	1 day
Thanksgiving Holiday	2 days
Christmas Holiday	2 days
Employee Birthday	1 day

The Diocese will not pay for unused holidays. A holiday will only be paid if it falls on a regularly scheduled work day of the employee.

Non-exempt employees who are required to work on one of the paid holidays listed above will instead receive a bonus equal to eight hours of pay (paid at their regular rate of pay) in addition to compensation for all hours actually worked on the holiday.

402 Paid Time Off

All Diocesan staff members who work more than 1,000 hours per year (excepting Temporary/Seasonal staff members) are eligible for Paid Time Off (PTO).

PTO time is given to staff members so that they are better able to perform their jobs when they return. For this reason, we require staff members to take their PTO and we do not permit staff members to take pay in lieu of time off.

Our PTO policy is intended to comply with the Healthy Workplaces Healthy Families Act of 2014. This means that you may take time off work under this policy for the diagnosis, care or treatment of your health issues or those of your immediate family (including your parent, child, spouse, domestic partner, grandparent, grandchild and sibling), for preventative care, or for domestic violence, sexual assault or stalking issues.

Time paid for PTO does not count as time worked when calculating overtime.

An employee may not take PTO before it is accrued.

Employees on a leave of absence or disability are ineligible to accrue PTO during the period of disability or leave of absence unless required by law.

The following chart shows the accrual rate for Full-time employees. Part-time employees will accrue PTO on a pro-rata basis.

PTO ACCRUAL SCHEDULE		
During Service Year	Hourly Rate of Accrual per Month	PTO Hours Accrued per Year
Date of hire – 1	5.8333	70
1 - 2	5.8333	70
2-3	6.6666	80
3-4	7.5	90
4-5	10.0	120
5-6+	11.666	140

- a. Holidays falling within an employee’s scheduled PTO leave will not be charged as PTO.
- b. To encourage employees to take time off, employees will stop accruing PTO when they have earned 150% their annual accrual amount. For instance, if you accrue eighty (80) hours of PTO per year, you will stop accruing once you have reached one hundred and twenty (120) hours. You will resume accruing once your balance is brought below 150% of your annual accrual rate – meaning once you have taken some time off.
- c. On termination, all accrued PTO will be paid, regardless of cause of termination.

403 Sick Leave for Temporary/Seasonal Employees Only

Temporary/Seasonal employees, while not eligible to accrue PTO, may accrue paid sick leave in compliance with California law.

Temporary employees who work for the Diocese for 30 or more days within a year from the beginning of their employment are entitled to paid sick leave under this policy.

Paid sick leave accrues at a rate of one hour per every 30 hours worked. Accrual begins on the employee’s first day of employment; however an employee must wait to use accrued sick leave until their 90th day of employment. An employee’s use of paid sick leave is limited to 24 hours in each year of employment.

Accrued sick leave carries over from year to year; however, sick leave is capped at 48 hours of leave. This means that once an employee’s sick leave balance has reached 48 hours, the employee won’t accrue sick leave until they take sick leave.

Under this policy, Temporary employees may take time off work for the diagnosis, care or treatment of their health issues or those of their immediate family (including your parent, child, spouse, domestic partner, grandparent, grandchild and sibling), for preventative care, or for domestic violence, sexual assault or stalking issues.

If an employee suffers a medical disability, injury or illness that may affect their ability to perform any part of their job duties in a safe manner, the employee should report the need for an accommodation immediately and should in no event perform any work that may endanger themselves or others.

404 Insurance Benefits

a. Life Insurance

The Diocese provides \$25,000 of Group Life and Accidental Death Insurance for employees working on a regular schedule of 20 or more hours per week. Employees may purchase additional life insurance at the time of enrollment, at their expense; up to three times the coverage the diocese provides. An employee may purchase supplemental life insurance. See informational booklet for details or contact the Diocesan Administrator.

b. Medical and Dental Insurance

Medical and Dental Insurance is provided for all full-time and part-time paid employees who work 20 hours or more per week. There are several plan designs offered prior to the date of hire. Contact the diocesan office for coverage and enrollment information on each plan design. See summary plan descriptions for detailed coverage information.

Employees invested in other Health and Dental insurance, such as military, Medicare, or spousal plans, may decline diocesan coverage and request supplemental coverage for deductible expenses.

c. Disability

Long Term and Short Term Disability Insurance coverage is provided on a non-contributory basis (employer paid) for all full-time and part-time paid employees who work 30 hours or more per week. See summary plan descriptions for detailed coverage information.

d. Long Term Care

There may be consulting services available to Employee from the Church Pension Group to assist Employee in finding appropriate Long Term Care Insurance coverage which would be at Employee's cost. .

Note: The above programs are administered through the Church Pension Group and are subject to change based on tax laws and church programs. Check booklets for current details.

405 Retirement Benefits

- a. Clergy pension rights and benefits are defined and governed by Title I, Canon 12, of the Canons of the Episcopal Church. The Diocese will contribute 18 %of the qualified clerical employee's compensation to the defined benefits plan of the Church Pension Fund.
- b. The Diocese works with Church Pension Group for lay employee retirement benefits. Please refer to specific plan details and contributions.

The Diocese will contribute 9% of the qualified lay employee's salary to this plan. The employee may contribute additional salary to his or her 403(b) plan within the allowable guidelines. See the Diocesan Financial Administrator or ECCO Executive Director for further information.

406 Family Medical Leave

- a. The Diocese recognizes the challenge that faces employees in meeting the demands of the work environment while handling family responsibilities. The federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA) give eligible employees unpaid leave up to a maximum of 12 workweeks (60 working days for a full-time employee) in a 12-month period in the following circumstances: birth of a child of the employee, recently adopted child, seriously ill, or recently placed foster child; to care for a seriously ill child, parent, spouse, or registered domestic partner; or due to a serious health condition that makes the employee unable to perform the functions of his or her job.
- b. Eligibility is based on (1) the number of employees employed by the Diocese (50 or more); (2) their proximity to one another (within a 75 mile radius); and (3) the employee's length of service with the Diocese, as set forth below.
- c. Eligible employees, for the purposes of the FMLA and CFRA, are defined as follows: a) The employee has completed one year (12 months) of continuous service; and b) The employee has worked at least 1,250 hours during the 12 months preceding the leave.
- d. If you wish to take leave under the FMLA or CFRA, please contact the Bishop of the Diocese, or ECCO Executive Director if applicable, at which time it will be determined if you are eligible for leave.

407 Pregnancy Disability Leave

Employees may take an unpaid pregnancy disability leave for the period of such disability not to exceed four months for a disability on account of pregnancy, childbirth or related medical condition. Employees shall provide a physician's statement indicating the expected period of such disability as soon as this is possible. Employees on pregnancy disability leave are also usually eligible to receive state disability insurance benefits. Unless precluded by business necessity, employees seeking to return to work following a pregnancy disability leave of less than four months will be reinstated to their former or a substantially equivalent position upon conclusion of their leave.

408 New Parent Leave Act

Under California law, employers with more than 20 employees are required to provide eligible employees 12 weeks of unpaid, job-protected parental leave. Parental leave may be used to bond with a newborn child or a child placed with the employee for adoption or foster care within one year of the child's birth, adoption or placement.

Employees are eligible for leave under the New Parent Leave Act if:

1. They are not eligible for leave under the Family Medical Leave Act (FMLA) or the California Family Rights Act (CFRA);
2. They have worked for the Diocese for at least 12 months at the time of the leave;
3. They have worked at least 1,250 hours in the past 12 months for the Diocese; and
4. They work at a worksite for Diocese with at least 20 employees within a 75-mile radius.

Leave taken is unpaid, however employees may use accrued vacation (if any) or paid sick leave during the leave.

409 Paid Family Leave Insurance

Paid Family Leave is a state-sponsored insurance program within the State Disability Insurance program. PFL provides employees with wage replacement for up to six-weeks in any 12-month period for the care of a child, spouse, parent or domestic partner with a serious health condition or to bond with a new child. This paid leave is solely financed through employee payroll contributions through State Disability Insurance. There will be a one-week waiting period during which time no benefits are available.

410 Workers' Compensation Leave of Absence

On the job injuries are covered by our Workers' Compensation insurance policy. This insurance is provided at no cost to you. If you are injured on the job, no matter how slightly, report the incident immediately to your supervisor. Consistent with applicable

state law, failure to report an injury within a reasonable period of time could jeopardize your claim. We ask for your assistance in alerting management to any condition that could lead to or contribute to an employee accident.

411 Military Leave

If you are a regular full-time or permanent part time employee and you leave the Diocese for active military service, you are considered to be on military service leave of absence. You are entitled to reinstatement to the Diocese upon completion of military service provided your application for reinstatement is made within 90 days of your discharge.

If you return from active military service within 90 days of discharge (or release from hospitalization that continued following discharge), you will be offered the same position held at the time of leaving, unless the job no longer exists, or the job has been filled in order to avoid undermining the Diocese's ability to operate safely and efficiently, or you are not capable of performing the job responsibilities. If your former position is not available, a substantially similar position will be offered unless there is no substantially similar position available, or filling the available position would substantially undermine the Diocese's ability to operate safely and efficiently or you are not capable of performing the job responsibilities. If neither the same nor a comparable position is available, your return to work will depend on job openings existing at the time of your scheduled return.

If you are ordered on military duty for 17 days or less per year, you will not be placed on military service leave, but will be given an excused absence without pay. At your discretion, accrued PTO pay may be used to cover military leave.

412 Bereavement

In the event of the death of your spouse, partner or significant other, child, parent, legal guardian, brother, sister, grandparent, grandchild, or mother, father, sister, brother, son, or daughter-in-law, you may take up to three consecutive scheduled work days off with pay. This paid time off does not come out of your PTO accrual. Your supervisor may approve additional unpaid time off, which will be defined as personal leave. At your discretion, accrued PTO time may be used to cover bereavement leave beyond the three days covered by the Diocese.

413 Personal Leave

A personal leave of absence may be granted at the discretion of the Bishop of the Diocese or, where applicable, Executive Director at ECCO. Requests for personal leave should be limited to unusual circumstances. Such leaves are normally granted without pay, although accrued PTO pay may be used to cover personal leaves.

414 Jury duty or witness leave

The Diocese encourages employees to serve on jury selection or jury duty when called. Regular, full-time employees will receive full pay while serving up to five days of jury duty.

You should notify your supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. You may be requested to provide written verification from the court clerk of having served. If work time remains after any day of jury selection or jury duty, you will be expected to return to work for the remainder of your work schedule.

Extended jury leave, beyond five days, will be an excused absence without pay. You may, at your discretion, use accrued PTO time to cover extra time off.

The above rules also apply to witness leave.

415 Voting Leave

In the event that an employee does not have sufficient time outside of working hours to vote in an election, the employee may take off enough working time to enable him or her to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours. Under these circumstances an employee will be allowed a maximum of two hours on the Election Day without loss of pay. Where possible, the employee shall give his or her supervisor at least one week's notice that time off to vote is needed.

416 Other Types of Leave Available

The types of leave discussed above in this Personnel Policies and Practices Manual are not exhaustive. If you need to take a leave of absence, please contact the Priest in Charge, ECCO Executive Director, or the Bishop, as applicable, to discuss the types of leave available under California law.

500 PERSONNEL ADMINISTRATION

This section includes policies, procedures, and practices to assist management and employees in maintaining a stable and communicative working relationship, and to provide formal steps in the solution of problems in the workplace.

501 Attendance

Good attendance is a requirement for continued employment at the Diocese; the Diocese will keep track of employee absences and tardiness. Excessive absenteeism or tardiness creates a hardship on the Diocese and your fellow employees. Unexcused absenteeism or tardiness can result in discipline, up to and including termination.

Whenever possible, you should schedule absences in advance with your supervisors. If you are ill or must be away for an emergency, you must notify your supervisor of any absence or late arrival by 8:30 a.m. or as far in advance as possible. If you are absent from work without notice for three (3) or more days, you will be considered to have voluntarily

abandoned your position.

502 Personnel Information and Confidentiality

The Diocese recognizes and respects the information contained in employee records. Examples of employee records include your personnel file, your attendance file, I-9 file and files for medical purposes. Certain information about you as a member of the organization is essential and can affect payroll. You are required to notify the Diocesan Administrator, in writing, of your personnel data changes. This includes but is not limited to your name, social security number, phone numbers, home address, emergency contact, dependents, license and liability information. This ensures that all necessary forms relating to payroll and benefit changes may be completed. Failure to do so may result in lost or delayed payment of your paycheck or benefits.

In accordance with California law, you are welcome to review your personnel file at reasonable times and at reasonable intervals and in the presence of the Diocesan Administrator. You should make your written request to the Diocesan Administrator. This access does not apply to employee records relating to the investigation of a possible criminal offense, nor does it apply to references. Employees may also be entitled to receive a copy of their personnel file. The written request will become a permanent part of your file.

503 Anti Harassment Policy

If you believe that you have been the subject of harassment, discrimination, retaliation or other prohibited conduct, bring your complaint to your supervisor, the Bishop, or the President of the Standing Committee as soon as possible after the incident. Please provide all known details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory.

The Diocese encourages all individuals to report any incidents of harassment, discrimination, retaliation or other prohibited conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

The Diocese feels strongly that harassment will not be tolerated, and we believe that our internal system for addressing it is the most effective method for resolution. However, if the Diocese's internal procedures do not resolve the problem, or you are reluctant to use the internal process, you also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment, discrimination and retaliation in employment. If you think you have been harassed or discriminated against or that you have been retaliated against for resisting, complaining or participating in an investigation, you may file a complaint with the appropriate agency. The nearest office can be found by visiting the agency websites at www.dfeh.ca.gov and www.eeoc.gov.

Supervisors must refer all complaints involving harassment, discrimination, retaliation or other prohibited conduct immediately to the Bishop or, where appropriate, the President of the Standing Committee, so we can try to resolve the complaint.

When the Diocese receives allegations of misconduct, it will immediately undertake a fair, timely, thorough and objective investigation of the allegations in accordance with all legal requirements. The Diocese will reach reasonable conclusions based on the evidence collected.

The Diocese will maintain confidentiality to the extent possible. However, we cannot promise complete confidentiality. The employer's duty to investigate and take corrective action may require the disclosure of information to individuals with a need to know.

Complaints will be:

- Responded to in a timely manner
- Kept confidential to the extent possible
- Investigated impartially by qualified personnel in a timely manner
- Documented and tracked for reasonable progress
- Given appropriate options for remedial action and resolution
- Closed in a timely manner

If the Diocese determines that harassment, discrimination, retaliation or other prohibited conduct has occurred, appropriate and effective corrective and remedial action will be taken in accordance with the circumstances involved. The Diocese also will take appropriate action to deter future misconduct.

Any employee determined by the Diocese to be responsible for harassment, discrimination, retaliation or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Employees should also know that if they engage in unlawful harassment, they can be held personally liable for the misconduct.

Anti-Retaliation

The Diocese will not retaliate against you for filing a good faith complaint or participating in any workplace investigation and will not tolerate or permit retaliation by management, employees or co-workers.

Third Party Discrimination/Harassment

The Diocese wants to ensure that we maintain a professional environment in which anyone doing business with the Diocese is free from illegal discrimination or harassment. Therefore, the following procedures have been established for resolution of non-employees' complaints of discrimination and/or harassment.

Procedure:

1. Filing of Complaint - Employees who receive a complaint from a third party (non-employee) of harassment or discrimination by any employee, manager or supervisor of the Diocese must file a written report with the Diocese as soon as possible after receiving the complaint. The written report should set forth in detail the contents of the non-employee's complaint.
2. Investigation - The Bishop (or designee) will conduct an appropriate investigation, including meeting separately with the employee who received the complaint, the complainant, and with others who are either named in the complaint or who may have knowledge of the facts set forth in the complaint. The Diocese will attempt to treat all such reports of harassment or discrimination, and the investigation of such reports, with as much confidentiality as practicable while conducting an appropriate investigation.

Note: If your complaint is against a minister or someone covered by Title IV of the Canons of the Episcopal Church, your complaint in all likelihood will constitute a "charge" and will be investigated and determined in accordance with the Canons and applicable California and federal law (where applicable). Nothing herein shall be interpreted or construed as a waiver of the Diocese's rights under the First Amendment to settle, resolve or otherwise handle disputes within the polity or structure of the Church.

504 Code of Conduct

In order to assure orderly operations and to provide the best possible work environment, The Diocese of San Joaquin expects employees and volunteers to follow standards of conduct that will protect the interests and safety of personnel. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, but the following are examples of infractions of standards of conduct that may result in disciplinary action, including formal warnings, suspension, or termination of employment:

1. Falsification of or making a material omission on forms, records, reports, or work or laboratory notebooks, including time cards, employment application documents, expense reports, or other Diocesan records, no matter when such conduct is discovered.
2. Actual or threatened violence toward another employee or a Diocesan visitor.
3. Insubordination, disruptive behavior, refusing to follow a supervisor's directions, or other disrespectful conduct to another employee, supervisor or manager.
4. Theft or embezzlement or unauthorized possession or removal of Diocesan, employee, or third-party property, records, or other materials, including

equipment, fixtures, or automobiles.

5. Possessing or bringing firearms, weapons (including knives), alcohol (except when authorized), illegal drugs, or chemicals on or to Diocesan property. The only exception to this rule are chef knives brought by a chef for use in preparing food for the any of the Dioceses' food preparation ministries or the ECCO kitchen
6. Provoking a physical fight or fighting on Diocesan property.
7. Using profane or abusive language at any time while on Diocesan property.
8. Destroying or damaging Diocesan or employee property, records, or other materials.
9. Violating safety or health rules or practices, engaging in conduct that creates a safety health hazard, or failure to use appropriate personal protective equipment.
10. Unauthorized disclosure of confidential and proprietary information.
11. Violation of the Diocese's Use of Electronic Media Policy in Section 506.
12. Violation of the Diocese's Substance-free Workplace Policy, including using or possessing, alcohol (except when authorized) or unlawful substances while on Diocesan premises as defined in Section 505.
13. Failing to observe work schedules, including required rest and lunch periods.
14. Failing to notify the appropriate supervisor when unable to report to work.
15. Falsifying absences.
16. Enabling or allowing an unauthorized person to enter Diocesan premises.
17. Smoking in non-smoking areas.
18. Refusal to permit a management representative to access Diocesan property, including desks, lab benches offices, lockers, or Diocesan vehicles.
19. Discrimination against any person on the basis of any factor protected by law, including violation of the Diocese's policy against harassment.
20. Committing acts that are fraudulent, dishonest, or illegal.
21. Violating Diocesan policies or employee agreements

22. Failing to reimburse Diocesan overpayments, clear expense reports, or repay debts owed to the Diocese.

505 Substance-free Workplace Policy

The Diocese believes that a workplace free of drugs (including but not limited to recreational marijuana), alcohol, and other harmful materials is vital to the health and safety of its employees and to the success of its business. This statement does not apply to alcohol as used in the ordinary conduct of worship services or to the serving of alcohol for special events as approved in advance by the Bishop, ECCO Executive Director, or the Diocesan Administrator.

The Diocese reserves the right to implement a drug testing program in compliance with local, state and federal laws. Employees are prohibited from reporting to work or working while using illegal or unauthorized substances. Employees are prohibited from reporting to work or working when the employee uses any controlled substance, except when the use is pursuant to a doctor's orders and the doctor advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her job duties.

In addition, employees are prohibited from engaging in the unlawful or unauthorized manufacture, distribution, sale or possession of illegal or unauthorized substances and alcohol in the workplace including: on Diocesan paid time, on Diocesan premises, in Diocesan vehicles, or while engaged in Diocesan activities.

Any violation of this policy may result in disciplinary action, up to and including discharge.

The Diocese further reserves the right to take any and all appropriate and lawful actions necessary to enforce this substance abuse policy including, but not limited to, the inspection of Diocesan issued vehicles, desks or other suspected areas of concealment, as well as an employee's personal property when the Diocese has reasonable suspicion to believe that the employee has violated this substance abuse policy.

506 Use of Electronic Media Policy

The Diocese's computer storage systems, voice mail systems, and electronic mail systems are Diocesan property, to be used for business purposes only, and are subject to inspection, search and access at any time, including but not limited to, after an employee terminates from the Diocese.

The Diocese reserves the right to access any messages transmitted or recorded over its voice mail and electronic mail systems, notwithstanding the ability of employees, in some cases, to use codes, personal identification numbers, or other techniques to restrict access to such systems. Likewise, the Diocese reserves the right to access any files, records, data, or other information stored on magnetic media which is Diocesan property, such as computer disks, even though the employee also may be using codes,

personal identification numbers, or other techniques to restrict access. Employees should be aware that neither voice mail, neither electronic mail, nor data storage on magnetic media is confidential, and that there is no expectation of privacy with respect to such information.

No employee, without authorization, may access computer storage systems, voice mail systems, or electronic mail beyond what is reasonably necessary to enable the employee to perform the essential functions of his or her job.

507 Confidentiality

Diocesan property includes not only tangible property, like desks and equipment, but also intangible property, such as information. Of particular importance are confidential information and proprietary information. Proprietary information includes all information obtained by Diocesan employees during the course of their work. Confidential information is any Diocesan information that generally is not known to the public or to the industry. Personnel files, computer records, financial data, and trade secrets are examples of confidential information.

Given the nature of the Diocese's activities, protecting proprietary and confidential information is of vital concern to the Diocese and its employees.

Employees must not use or disclose any proprietary or confidential information obtained during employment with the Diocese, except as may be required by their Diocesan jobs. This obligation remains in effect even after an employee's employment relationship with the Diocese ends. In addition, all employees must observe good security practices. All employees are expected to keep proprietary and confidential information secure from outside visitors and all other persons who do not have a legitimate reason to see, know, access, or use such information.

508 Smoking

In accordance with state law, and in order to provide a healthy and safe workplace, smoking is strictly prohibited in any office building or enclosed premises of the Diocese, including lunchrooms, restrooms, and lounges, or in any Diocesan vehicle. Smoking includes but is not limited to the use of cigarettes, cigars, pipes, e-cigarettes and "vape pens" and other tobacco products. This smoking ban applies to both employees and non-employees. Smokers do not receive extra break time.

509 Solicitation and non-disclosure

Any solicitation, by employees or non-affiliated entities or people on Diocesan premises requires approval of the Bishop. In the case of an authorized solicitation on behalf of a charitable organization, employee contributions are entirely voluntary. No pressure shall be exerted upon any employee, by any other employee, regardless of position, to make a contribution.

Lists or other documents, such as the Diocesan telephone book, organizational charts, names and/or addresses of employees, may not be given or disclosed to anyone outside the Diocese, unless as a Diocesan necessity. In such a case, approval by the Bishop is required.

510 Pets

Pets are not permitted in the workplace. Service dogs are allowed. If you require an accommodation that involves a support animal, you must notify the Bishop, Priest in Charge or ECCO Executive Director, where applicable, in order to engage in the interactive process.

511 Diocesan Vehicles

In some instances Diocesan vehicles may be provided for an employee in order to perform his/her/their duties. Employees must be given permission before using any Diocesan vehicle. Where a specific license is required for the operation of the vehicle, the employee must have a current license in order to operate the vehicle.

RECEIPT FOR EMPLOYEE HANDBOOK

I acknowledge that I have been given a copy of the Employee Handbook for the Diocese. I agree that I have read and will follow the information and rules in this handbook. I agree to comply with Diocesan policy as described. I will remain familiar with the Handbook and refer to its contents for better understanding of Diocesan policy and procedure. I will ask my supervisor for any clarification I may require. I understand that this Employee Handbook supersedes all prior agreements, understandings, and representations concerning my employment with the Diocese.

I understand that except for the policy of at-will employment, the Diocese reserves the right to revise, delete and add to the provisions of this Employee Handbook at any time without further notice. All such revisions, deletions or additions to the Employee Handbook will be in writing and will be signed by a designated representative of the Personnel Committee. I understand that no oral statements or representations can change the provisions of this Employee Handbook.

I understand that this Employee Handbook is not intended to create contractual obligations with respect to any matters it covers and that the Employee Handbook does not create a contract guaranteeing that I will be employed for any specific time period.

I also understand and acknowledge that employment at the Diocese is “at-will” and that my employment may be terminated at any time, with or without cause.

Dated: _____

Signed: _____

Name: _____

NOTE TO THE EMPLOYEE: The original of this form will be kept by the Diocese in your Personnel File.